

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

BILLY WAYNE RICHMOND,

Petitioner,

v.

JEFFREY A. UTTECHT,

Respondent.

CASE NO. C19- 5906-BHS

ORDER ADOPTING REPORT  
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable J. Richard Creatura, United States Magistrate Judge. Dkt. 17. The Court having considered the R&R and the remaining record, and no objections having been filed, does hereby find and order as follows:

- (1) The R&R is **ADOPTED**;
- (2) Ground one of Petitioner’s petition for habeas corpus (Dkt. 9) is **DISMISSED** with prejudice, and Ground two of the petition is **DISMISSED** without prejudice;
- (3) A certificate of appealability is **DENIED**; and

1 (4) This case is closed.

2 Dated this 12th day of May, 2020.

3  
4 

5 BENJAMIN H. SETTLE  
6 United States District Judge  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22